

A

Summary Account
OF ALL THE
STATUTE-LAWS
OF THIS
KINGDOM
Now in Force, Made against
JESUITES,
Seminary Priests,
AND
Popish Recufants:
Drawn up for the Benefit of all
PROTESTANTS.

Done by a Protestant, to inform such of his Fellow-Subjects, that are ignorant of these Laws, and would be willing to do their Duties, where, and when the Laws enjoin them.

LONDON,
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Summary Account

STATUTE-LAW

WINDOM

RESULTS

Seminary Priests

AND

Popish Recusants:

PROTESTANTS

A Summary Account of all the Statute-Laws of this Kingdom, made against all Jesuits, Seminary Priests, and Popish Recusants.

1. **B**Y the Statute of 1. Eliz. cap. 1. No Foreign Potentate, or other Person, shall exercise any Ecclesiastical Power in the Queens Dominions, but She and Her Successors may by Letters Patents authorize any Subject born to exercise the same.

1. Eliz. cap. 1.
A Foreign Potentate not to exercise power in the Queens Dominions.

2. For the better observance of this Act, every Ecclesiastical & Temporal OFFICER, and such as take Degrees in the Univerſity, and all the Queens Servants, are enjoyned to take the Oath of Supremacy, recited, *in hæc Verba*, in this Statute, to which, because it is long, you are referred.

Officers Temporal and Ecclesiastical.

3. He that refuseth this Oath, if he be in any Office, shall forfeit such Spiritual or Temporal Office or Promotion during his life; or if he be to be admitted to any such Office, he shall take the aforesaid Oath before he be admitted; and if he refuse it, he shall be adjudged incapable of it.

Refusing the Oath.

4. If any have a Temporal Office of Inheritance, and at first refuse this Oath, but afterwards shall take it, he shall be restored.

Oath.

5. None shall maintain the jurisdiction of any Foreign Prelate or Potentate in the Queens Dominions, upon pain of forfeiting all his Goods and Chattels; and if he be not worth twenty pounds at the time of his Conviction, he shall forfeit all he hath, and suffer a years Imprisonment without Bayl; and for the second offence, incur a *Premunire*; and for the third offence, be guilty of high Treason, which offence must be prosecuted within one year after it is committed; but if the offence be by Preaching, Teaching, or Words only; Prosecution by Indictment must be within six Moneths, else the Offender to be set at liberty.

Penalty of maintaining any Foreign Potentates power, &c.

Premunire is to be put out of the Kings protection, and to forfeit all his Goods & Chattels, and all Lands in Fee.

6. A Clergy man Beneficed upon the first Conviction, for such offence, shall lose his Spiritual Promotion.

Co. 1. Justit. f. 229. b. 130. a.

7. A Peer of the Realm, guilty of such offence, is to be tried by his Peers.

Conviction. Peer.

8. No Persons to be Indicted or Arraigned for the aforesaid offences, but by two or more sufficient Witnesses produced *viva voce* ; and

witnesses.

and none shall be questioned for relieving, aiding or comforting any such offender, as is before mentioned, unless it be proved by two Witnesses at least, that at the time of such relief, aid, &c. he had notice of the offence committed.

5. Eliz. cap. 1.

1. By this Statute of 5. Eliz. None shall maintain the jurisdiction of the Bishop or See of Rome, within any of the Queens Dominions, upon pain that they and their Accessaries shall incur a *Premunire*.

Who may have
Oyer and Ter-
miner of these
Offences.

2. Justices of Assize, Justices of the Peace in Sessions, or any two of them (whereof one of the *Quorum*) have power to hear and determine this offence, and to certify the presentments into the Kings Bench, within a time limited in the Statute on pain of an 100. l. and Justices of Assize have power as well upon such Certificate, as also before themselves to hear and determine such offences;

Persons that
must take the
Oath of Supre-
macy.

3. All Persons appointed by the Statute of 1. Eliz. cap. 1. to take the Oath of Supremacy, and all other Persons taking Orders, pre-ferred to any Degree in the Universities, all School-masters publick and private; all that take degrees of Learning, in the Laws, in the Inns of Court, or in Chancery; all Attorneys, Protonotaries, Philizers, Escheators, &c. All Persons admitted to any Ministry or Office belonging to the Common Law, or other Law or Laws; and all Officers and Ministers of every Court, shall take the said Oath before their admittance to the exercise of any such Offices or Profession.

Premunire.

4. He that is thus competent to take the said Oath, if he refuse it, incurs a *Premunire*, if his default be presented, and he Indicted within a year after the default.

Who have
power to give
the Oath.

5. Arch-Bishops and Bishops have power in their proper Dioceses to administer this Oath; and the Lord Chancellor or Keeper (without further Warrant) may grant Commission to tender it.

Certificate of
refusal.

6. All Persons impowred to tender this Oath, are to certify the Refusals of those Recusants that will not take it, under their hands and seals, into the Kings Bench, within a limited time in the Statute, on pain of 100. l. See the Statute at large, as to the time.

Second offence.

7. Those that refuse this Oath upon second Tender, or were formerly convicted of maintaining the Jurisdiction of the Pope or See of Rome, and do commit the like offence the second time, both they and their Accessaries shall suffer as in case of high Treason, except in case of corruption of Blood, disinherison of Heirs, forfeiting of Dowry, or prejudice to others beside the Offender, &c. But none shall be punish'd as accessory, for giving Alms without fraud to the Offender.

Alms.

8. This Act is to be published at every Quarter-Sessions, at every Leet, and every Term in open Hall in the Inns of Court and Chancery, by the Persons appointed thereto.

9. Every

9. Every Member of the Commons House, is to take this Oath *Members of the Com. House.*
before he sit in Parliament, before the Lord Steward or his Deputy.

10. None of, or above the degree of a Baron is compellable to take this Oath; but a Peer offending herein, is only triable by his Peers. *Barons and Peers.*

11. No Papist is compellable to take this Oath upon second tender, or be in danger (by refusal thereof) to incur high Treason, but only *Second tender of the Oath.*
Clergy-men, Officers of Ecclesiastical Courts, such as shall not observe the Rites of the Church of *England, &c.* or do say or hear Private Mass. *Mass.*

1. By this Statute, All that obtain or put in ure any Bull of Absolution or Reconciliation from the Church of *Rome*, or absolve, or be absolved thereby, both they and their Accessaries before the fact, shall be adjudged guilty of high Treason. *13 Eliz. cap. 2. Bulls from Rome.*

2. Their Comforters and Maintainers shall incur a *Premunire*; and their Concealers misprision of Treason, unless within six weeks they discover them to some Privy Counsellor, &c. *Comforters, Maintainers, Concealers*

3. If any bring into the *Queens* Dominion any *Agnus Dei*, Crosses, Pictures, Beads, or any such vain and superstitious thing, or deliver or offer the same to any Person to be used; the Person so doing, and the Person receiving the same, shall incur a *Premunire*; but if the Person to whom the tender is made, apprehend the Person tendering it, and bring him before a Justice of Peace; or being unable so to do, shall within three days disclose his name, and abroad, or resort unto the Ordinary, or some Justice of Peace within the same, County; or having received the same, do within three dayes deliver it to some Justice of Peace, he shall incur no prejudice by this Act. *Agnus Dei. Crosses, &c.*

4. The Justice of Peace shall disclose the offences, aforesaid, to the Privy Counsel, within fourteen dayes after notice to him, upon pain of *Premunire*. *Justices of the Peace, Privy Council.*

1. By this Statute, it is high Treason to have, or pretend to have power, or to put in practice, to absolve, persuade, or withdraw any Person within the *Queens* Dominions, from their natural Obedience to the *Queen* and her Successors, or to withdraw them, for the intent, from the Religion now established, to the *Romish* Religion; and they also, who shall be so withdrawn willingly, together with their Procurers and Counsellors, shall be guilty of the same offence. *23 Eliz. cap. 1. withdrawing the Subj. from their obedience.*

2. Their Aiders and Maintainers, who discover them not within ten dayes, to some Justice of Peace, or higher Officer, shall be adjudged guilty of Misprision of Treason. *Aiders and Maintainers.*

3. None shall say or sing Mass, on pain of two hundred Marks, and suffer one years Imprisonment, and not to be enlarged till the

Fine

Hearing Mass. Fine be paid. And none shall hear Mass, on pain of a years Imprisonment, and an hundred Marks.

Forfeitures. 4. There shall be a third part of these forfeitures to the *Queen*, a third part to the poor of the Parish where the offence is committed, and a third part to the Prosecutor.

Covenants Grants. 5. All covenants grants to avoid the *Queens* Interest, or other persons that may claim by this Act, or 13. *Eliz.* cap. 2. shall be adjudged void.

27. *Eliz.* cap. 2. 1. By this Statute, all Jesuites, Seminary Priests, or any Ecclesiastical persons born within the *Queens* Dominions, and ordained or made such, by the pretended Jurisdiction of the See of *Rome*, which come into, or remain in, any of the said *Queens* Dominions, shall be adjudged guilty of high Treason, and their receivers, aiders, and maintainers (knowing them to be such, and at liberty) shall be adjudged Fellons, without benefit of Clergy.

Jesuites, &c.
The receivers,
aiders, &c.

Persons brought
up in Semina-
ries beyond
Sea.

Sending relief
to such Semi-
naries.

where the Of-
fences are pu-
nishable.

Submission.

The penalty of
knowing a Je-
suite or Priest,
and concealing
him.

Oaths, Sub-
missions, &c.
to be certified.

2. All others brought up in *Seminaries* beyond Sea, and not as yet in Orders, as aforesaid, which do not within six Months after Proclamation made in *London* (in that behalf) return into this Realm; and within two days after their return, before the Bishop of the Diocese, or two Justices of the Peace, of the County where they arrive, submit themselves to the *Queen*, and her Laws, and take the Oath of Supremacy, they shall be adjudged guilty of high Treason.

3. They who give or send relief to any such Ecclesiastical Person or Seminary, or to any brought up there, as aforesaid, shall incur a *Premunire*.

4. These Offences are to be heard and determined in the Kings Bench, or in the County where they shall be committed, or the Offender taken.

5. This Act not to extend to any Jesuite, &c. as aforesaid, who within three days after his arrival, shall submit himself to some Arch-bishop, or Justice of Peace of the County where he lands, and there takes the Oath of Supremacy; and under his hand, acknowledges to continue in obedience to her Majesties Laws.

6. He that knows a Jesuite, or Priest, to remain within any the *Queens* Dominions, and doth not within twelve days discover the same to some Justice of the Peace, shall be fined, and suffer Imprisonment during pleasure; and the Justice of Peace that doth not within twenty eight days after, disclose it to some of the Privy Council, &c. shall forfeit two hundred Marks.

7. All Oaths and Submissions, &c. as aforesaid, shall be certified into *Chancery*, by the party before whom they are taken, within three months, on pain of an hundred pounds.

8. None

8. None Submitting, as aforesaid, shall within ten years after come within ten miles of the Court, on pain to lose the benefit of his submission.

Those that submit not to come to Court within ten years, or within ten miles of it. 29. Eliz. cap. 6. Grants of Papists.

1. By this Statute, the Grants and Incumbrances, or limitation to uses made by Papists not coming to Church, according to the 23. Eliz. cap. 1. and which are revocable by the Offenders, intended for his maintenance, or in consideration whereof he and his Family are to be kept, shall be void against the Queen, &c. to hinder her for the forfeiture of their not coming to Church, or saying, hearing or being at Mass; but this Act is not to extend to Grants, made *Bona Fide*, nor to continue the seizure after the death of the Offender, &c.

2. The Queen may seize two parts of the Goods, and two third parts of the Lands of such Popish Offenders as shall not, after their Conviction, pay into the Exchequer twenty pounds a month.

Two parts of the Goods, and third part of the Lands of Papists.

1. By this Act, all Popish Recusants above sixteen years Old, shall within forty days after their Conviction, repair to their usual dwelling, and not remove above five miles from thence, on pain to forfeit all their Goods, and Lands, and Annuities during life; and if they have no certain abroad, they are to repair where they were born or where their Fathers and Mothers dwell; and within twenty days after their arrival there, to give in their Names to the Constables; Headboroughs, and Minister; and the Minister is to keep a Book of their names, and he, and the said Constables, and Headboroughs, to certify the same to the quarter Sessions, &c.

35. Eliz. cap. 2. Papists after Conviction, to repair to their dwellings.

2. A Copy-holder, in this case, shall forfeit his Estate for life (if it continue so long) to the Lord of the Mannor, (if no Recusant, Convict, or seized, possessed to the use of a Recusant) but if so, then the Queen, &c. shall have it.

Copy-holder Papist.

3. A Popish Recusant (being no *feme Covert*, nor having Lands worth twenty marks per annum, or goods worth forty Pounds, which within the time above-limited, doth not repair to the place of his abroad, or doth depart above five miles thence, or within three months after his arrival, there doth not make the submission following hereafter (being required so to do by the Bishop, a Justice of Peace, or the Minister there) shall before two Justices of the Peace, or the Coronor, abjure the Kingdom, which abjuration they are to certify to the next Assizes, or Goal-delivery.

Those that after Conviction will not repair to their dwellings, &c. shall abjure the Realm.

4. If the Popish Recusant depart not the Realm, within the time limited, by the said Justices or Coronor, or return without the Queens Licence, he shall be adjudged a Fellow, without benefit of Clergy.

If he depart not, he shall be a Fellow without Clergy.

Jesuite refusing to answer.

This Act not to extend to those that are urged by process of Law, &c.

The effect of the submission

Minister of the Parish is to enter submissions in a book.

Married Women.

1 Jac. cap. 4.

The Ancestor dying a Papist, the Heir being none, &c.

Children or others sent beyond Sea to be trained in Popery.

Who may pass beyond Sea, &c.

5. A Jesuite, or Priest, refusing to answer, shall be committed to Prison till he answer, &c. and this Act is not to restrain any Recusant (urged by process of Law, without fraud) to travel without the said limits of five miles, so that he return in convenient time; nor shall it restrain him that is compelled by Law, to render his body to the Sheriff.

6. The effect of the submission, whereby they may avoid these penalties, is, *That the Recusant submitting, do acknowledge, and testify in his Conscience, that the Bishop, and See of Rome, hath not, nor ought to have, any power or authority over her Majesty, within any of her Dominions, &c.* But the Reader is referred to the Statute, to see the submission at large.

7. The Minister of the Parish where the submission is taken, shall presently enter it into a book, and within ten days certify it to the Bishop of the Diocess; and if the Offenders after such submission, shall fall to a relaps, he shall have no benefit of his submission.

8. Every married Woman shall be bound by this Act, save onely in the case of Abjuration.

1. By this Statute, all the former Statutes of *Queen Elizabeth*, are confirmed, and appointed to be put in due execution.

2. Where the Ancestor dies a Recusant, the Heir being none, or confirming himself, and taking the Oath of Supremacy before the Arch-Bishop, &c. he shall be freed from all the penalties in the aforesaid Statute; but if the Heir, after the age of sixteen years, shall continue to be a Recusant, he shall not be freed till conformity, and taking the said Oath: And the King shall have two parts of his Lands to answer the Arrearages of *twenty pound* a month, according to the Statute of 23. *Eliz. cap. 11.*

3. None shall send any Child, or other person under their Government, beyond Sea, to be instructed in the Popish Religion, upon pain of an *hundred pound*; and they which are so sent, shall be incapable (as to themselves only) of any Grant or Inheritance due to them or others to their use.

4. No Child, or Woman, under 21 years of age (except Saylor, Ship-boys, Merchants-Factors, or Apprentices) shall be suffered, by Officers of Ports, to pass beyond Sea without the Kings Licence, or Warrant of six Privy Counsellors under their hands, upon pain of the said Officers forfeiting their Offices, &c. And the forfeitures by this Act, are to be divided between the King and the Prosecutor; See the Statute of 3. *Jacobi, cap. 5.* Touching Souldiers and Mariners passing beyond Sea, *vide infra.*

1. By this Act, the Recusant, that conforms, must within one year after his conformity, and so once every year (at least) receive the *Sacrament*, on pain, to forfeit for the first offence *twenty pounds*, for the second *forty pounds*, &c. *3 Jac. cap. 4. Sacrament.*

2. These forfeitures to be recovered before Justices of Peace in their Sessions, or in any Court of Record; and to be divided between the King and Prosecutors. *Forfeitures.*

3. The Church-Wardens and Constables of every Parish, or one of them, or (if there be none such) then the high Constable of the Hundred shall present once every year at the general Sessions of the Peace, the monthly absence from Church of every Popish Recusant and their Children, (being above the age of nine years) and their Servants, together with the age of their Children, as well as they can be known, on pain respectively to forfeit 20 s. for every default; and this presentment to be entered by the Clerk of the Peace, or Town-Clerk, on Record, without Fee, on pain of 40 s. for every default. *Presentments to be of the monthly absence of Papists from Church.*

4. If the Recusant be convicted upon such presentment, the Officer presenting him shall have 40 s. out of the said Recusants Estate, by order of the Justices of Peace. *Officers Fees for presenting Recusants.*

5. Justices of Assize, Goal-delivery, and of the Peace, have power of hearing and determining the Offences of such Popish Recusants, as well for their not taking the Sacrament, as for not coming to the Church, according to this and former Laws and Statutes; and to make Proclamation that they shall tender themselves to the Sheriff or Bayliff of the Liberty where they are, before the next Assize, Goal-Delivery, or Sessions respectively: Which if they shall not do, that default is to be Recorded, and it shall be a sufficient Conviction of them, as well as a trial by Verdict. *Who have power to punish Recusants.*

6. Every such Offender, after the first Conviction for not coming to Church, shall pay into the Exchequer in the Terms of *Easter* and *Michaelmas*, next happening after their Conviction, their forfeitures then due at the rate of 20 l. per month, and yearly after that in the same Terms, at the rate of 20 l. per month, unless the King shall please to take two thirds of their Lands and Leases, or that they shall conform. *Recusants forfeitures after first Conviction for not coming to Church.*

7. Every Conviction is before the end of the Term next following, to be certified into the Exchequer, and the Court is to issue process of seizure thereupon, against the Offenders Goods, and two parts of his Lands, Leases, &c. *Conviction to be certified into the Exchequer.*

8. The King may refuse the *twenty pounds* a month, and take the two parts of the Lands, as aforesaid, (excepting the Recusants Mansion- *Twenty pounds a month, or two thirds of Re-*

culants lands,
except the
Mansion house,
&c.

Oath of Al-
ligiance.

Premunire.
Women Covert.

Names to be
subscribed.
Indictment not
to be reversed
for want of
form.

who shall go
out of the
Realm to serve
a Forreign
Prince.

Bond.
Customs and
Comptrollers of
Ports to take
Bonds.

Withdrawing
Kings Subjects
from their obe-
dience.

High Treason.

Reconciliation.

Excommuni-
ate Recusants.

sion-house) and the King may not demise those two parts to a Re-
cusant, or to any other, for the Recusants use; and the Kings Lessee
of the said two parts, is to give security not to commit waste.

9. The Bishop of the Diocess, or two Justices of the Peace (one
being of the *Quorum*) may out of *Sessions* tender the Oath of *Alle-
giance* (mentioned in *hæc verba*, in this Act (to which the Reader
is referred) to any person, being eighteen years of age (except No-
ble-men, and Noble-Women) which stand Convicted or Indicted of
Recusancy, &c. (or passing through the Countrey, and examined on
Oath, confesseth) or (at least) denyeth not, that he or she is a Recu-
sant, and the Bishop or Justices are to certify the Premises, and the
name and aboad of the party to the next *Sessions*, where the Clerk
of the Peace or Town Clerk are to record the same: And if they
refuse to take the Oath, or to answer upon Oath, they are to bind
them to the next *Sessions*; and if they refuse here to take it again,
they incur a *Premunire*, (except Women Covert) who in that case
are to suffer Imprisonment till they take it.

10. If they take the Oath, they are to subscribe their Names or
Marks, & no Indictment against such as are *Recusants*, shall be rever-
sed for lack of form, but only by direct Traverse: But if they con-
form, they may be admitted to traverse or discharge it.

11. None shall go out of the Realm to serve any Forreign Prince
or State, without taking the said Oath (of Allegiance) and if he
have born Office as a *Souldier*, he shall enter into *Bond* to the Kings
use, with condition as in this Act is at large expressed in *hæc Verba*,
(to which the Reader is referred) or else to be adjudged a Felton.

12. The Customers or Comptrollers of Ports only, and their
Deputies, may take such Bonds, and minister the said Oath in this
case, which they are every year to certify into the Exchequer, the
Bond, on pain of five pounds, and the Oath, on pain of twenty shillings.

13. To absolve or withdraw the Kings Subjects from their Natu-
ral Obedience, to reconcile them to the *See of Rome*, or to move them
to promise it, &c. or to be absolved, withdrawn, reconciled, or make
promise, as aforesaid, is *high Treason*.

14. This Clause of Reconciliation (as to the point of reconcile-
ment only) shall not extend to any, that shall return into the Realm,
and within six weeks after, shall before the Bishop, &c. submit him-
self to the King, and his Laws, and take the Oaths of *Supremacy* and
Allegiance.

15. The Sheriff, upon a lawful Writ, may justify to break a house
for taking an Excommunicate Recusant.

16. If an Action be brought against an Officer, for execution of this Act, he may plead the General Issue, and give the special matter in evidence. *Action against a Officer for doing his duty, &c.*

17. None shall be punished for his Wives offence, nor shall a married Woman be chargeable with any penalty or forfeiture by force of this Act. *Wives Offence.*

18. Six of the Privy Counsellors (whereof the Chancellor, Treasurer, or Principal Secretary to be one) may minister the Oath of Allegiance to any Noble Man, or Noble Woman (unmarried) of, or above eighteen years of age, and if they refuse it, they incur a Pen- *Oath of Allegiance. Noble men, & Noble women.*

19. The Warden of the Cinque-Ports, or some by his appointment, shall take the Bond, and minister the Oath, aforesaid, to any person passing beyond Sea out of them, *i. e.* the Cinque-Ports, or any of their Members. *Warden of Cinque Ports.*

By this Statute, He that within three days notice, discovers to a Justice of Peace, any that entertains a Popish Priest, or any that have beard or said Mass, shall have a third part of the forfeiture due for the said offences, if the whole exceed not an hundred & fifty, then onely fifty pounds thereof to be paid him by the Sheriff, who shall leave the same. *3. Jac. cap. 5. Entertaining a Popish Priest. Mass.*

2. No Convicted Recusant shall come into Court without command from the King, or Warrant from the Privy Counsellors, under their hands, on pain of an hundred pounds, one moiety to the King, the other to the Discoverer. *Convicted Recusants not to come to Court, on pain of an 100l.*

3. A Popish Recusant, Convicted, or Indicted for not coming to Church for three months together, and remaining in London, or within ten miles distance, shall within ten days after such Conviction or Indictment depart thence, and shall deliver their names (if in London) to the Lord Mayor there, and (if in the Countrey) to the next Justice of the Peace, on pain of an hundred pounds, to be divided between the King and the Prosecutor; but this is not to extend to Tradesmen that have no other habitation in, or within ten miles of London. *Convicted Recusants not to be in London, or ten miles off it, unless he be a Tradesman, on pain of 100. l.*

4. A Recusant may go about his own occasions, by Licence from the King, or three Privy Counsellors under their hands, or four Justices of Peace under their hands and Seals, with the assent in writing of the Bishop, Lieutenant, or Deputy Lieutenant of the same County, notwithstanding the Statute of 35. Eliz. cap. 2. which Licence is not to be granted by the said Justices, till the party make Oath of the true reason of his Journey, and that he will make no needless stay. *Licence must be procured by a Recusant, to go about his occasions, &c.*

*No Convict
Recusant may
practice Law,
Physick, &c.
or bear Office
in any Caile;
&c.*

*Popish Re-
cusant Convict,
or whose Wife
is such, may
not bear Office,
&c.*

*What a mar-
ried Woman, be-
ing a Recusant
Convict, shall
forfeit.*

*A Popish Re-
cusant Convict,
shall be an Ex-
communicate
to all intents,
till he conform.*

*Popish Re-
cusant Convict,
must be married
by a lawful Mi-
nister, in open
Church, on pain
of 120. l.
Their Children
to be Baptized
by a lawful Mi-
nister, on pain
of an 100. l.*

*They must be
buried in the
Church, or in
the Church-yard
on pain of 20. l.
Who may go be-
yond Sea, and
upon what Li-
cence, &c.*

5. No convicted Recusant shall practice the Common Law, Civil Law, Physick, or the Art of the Apothecary; or be an Officer or in any Court; or bear any Office among Souldiers, or in a Ship, Castle, or Fortress, on pain of an hundred pound, to be divided between the King and the Persecutor.

6. No Popish Recusant Convict, or whose Wife is a Popish Recusant Convict, shall exercise any publick Office in the Common Wealth by himself, or his Deputy, unless he bring up his Children in the true Religion; and together with his Children and Servants, repair to the Church, and receive the Sacraments, as the Law requires.

7. A married Woman, being a Popish Recusant Convict, (her Husband being none) that doth not conform her self, as aforesaid, by the space of one whole year before her Husbonds death, shall forfeit two Thirds of her Dower or Joynter, and shall be incapable of being Executrix, or Administratrix to her Husband, or enjoying any part of his Goods.

8. A Popish Recusant, after conviction, shall be (to all intents) reputed as a person Excommunicate, until he conform and take the Oath of Obedience or Allegiance, ordained by 3. Jac. 4. Yet he may sue for his Interest, in Lands not seized into the Kings hands.

9. A Popish Recusant Convict, married otherwise then in open Church, by a lawful Minister, according to the Church of England, shall not be Tenant by the Curtesie, A Woman also (in this case) shall lose her Dower, Joynture, Widdows Estate, and all her Husbonds Goods; and where a Man cannot be Tenant by the Curtesie, he shall forfeit an hundred pounds, to be divided between the King and Prosecutor.

10. Every Popish Recusant, within a Month after the Birth of his Child, shall cause it to be Baptized by a lawful Minister, on pain of an hundred pounds, if he outlive the Month, if not, his Wife is to pay the forfeiture; the King to have one third part, the Persecutor another, and the poor of the Parish the third.

11. Every Popish Recusant is to be Buried in the Church, or Church-yard, according to the Church Laws of this Realm, on pain that his Executor, Administrator, or the party that causes him to be otherwise buried, pay twenty pounds to be divided as next aforesaid.

12. A Child (being no Souldier, Mariner, Merchant, or Apprentice, or Factor to a Merchant) shall not be sent, or go beyond Sea, without the Kings Licence, or Six of the Privy Council, (the Principal Secretary being one) on pain thereby to be incapable to injoy any Lands or Goods, by Descent or Grant, until (being eighteen years of Age, or above) he take the Oath of Obedience before some Justice of peace of

of the County, where his Parents do or did dwell. And in the mean time the next of Kin, being no Papist, shall enjoy his Lands and Goods, but shall be accountable to the other; in case he afterwards conform as aforesaid; and he that so goes out of the Realm, shall forfeit an hundred pounds to be divided, as aforesaid.

The penalties of going beyond Sea, &c. without Licence.

13. A Popish Recusant Convict, shall be disabled to present to a Benefice, but in his stead, the Chancellor and Scholars of the Universities of Cambridge and Oxford, shall present, within several Counties respectively, as by this Act is at large set forth.

Chancellor, &c. of both Universities, shall present to the Benefice of a Recusant Convict.

14. A Popish Recusant Convict, shall not be an Executor, Administrator or Guardian.

Convict Papist, may not be Executor, &c.

15. None shall bring from beyond Sea, Print, Sell or Buy any Popish Primms, Ladies Psalters, Mannualls, Rosaries, Portals, Legends, or Lives of Saints in what Language soever they shall be Printed or Written, nor any other Superstitious Books, written in the English Tongue, on pain to forfeit forty shillings for every such Book, to be divided as aforesaid.

None may bring from beyond Sea, or Print, or Sell Popish Books, &c.

16. Two Justices of Peace, and all Mayors, Bayliffs, and Head Officers, have power to search the Houses and Lodgings of Popish Recusant Convict, and of every Person, whose Wife is a Popish Recusant Convict, for Popish Books and Reliques, and to burn and deface such as they shall find in their custody; but such as are of value, in open Sessions, and afterwards restored to the Owner.

Power to search Convict Papists, Lodgings for Popish Books and Reliques.

17. All the Armour, Gunpowder, and Ammunition of a Popish Recusant Convict, shall be taken from him, by Warrant from four Justices of the Peace, at the General Sessions, (other then such Weapons as shall be allowed him by the said Justices, for defence of his house against Thieves, &c.) which Armour, &c. shall be kept at the costs of such Recusant, in such places as the said Justices shall appoint, and shewed at every Muster, as his Arms, together with his Horse, which he shall buy, provide, and maintain for that purpose, according to his ability, as other Subjects do; and the Recusant that refuseth to declare what Armour and Ammunition he hath, and deliver it to such Persons as shall have power to seize it, he shall forfeit the same to the King; and by Warrant from any Justice of Peace of that County, be imprisoned for three Months without Bayle.

The Armour of Recusants Convict to be secured, and that they deliver them to be punished, &c.

1. By this Statute is set forth, who shall give, and who shall take the Oath of Allegiance, and within what time, and before whom, a Barron or Barroness, of or about eighteen years old, shall take it. See the Statute at large.

7. Jac. Cap. 6. Oath of Obedience.

*Barrons and
Barronesses
convicted of
Recusancy, who
may tender this
Oath to them.
Who to a com-
mon person.*

3. If a Barron or Barroness stand Presented, Indicted, or Convicted of Recusancy, three of the Privy Council (whereof the Lord Chancellor, Treasurer, Privy-Seal, or Principal Secretary to be one) shall minister to them the said Oath, but if he be a convicted person under those degrees; or if the Minister, petty Constables, or Churchwardens of any Parish, or any two of them, shall complain to any Justice of the Peace, of any person suspected of Recusancy, then the said Justice may in either of the said Cases minister the said Oath, and upon refusal commit the party to Prison, there to remain until the next Assizes or Sessions, where if he or she again refuse to take it, they shall incur a *Premunire*, (except Women Covert, who shall only be Imprisoned in this Case) and there remain without Bayl, until they take the said Oath.

Premunire.

*The Penalty of
refusing the
Oath.
Lawyers, &c.
refusing it.
A married wo-
man convicted
of Recusancy,
her penalty.*

3. None refusing the said Oath shall be capable of any Office of Judicature, or other Office (being no Office of Inheritance or Ministerial Function) or to practise the Common Law, Physick, Chyrurgery, the Art of Apothecary, or any liberal Science for Gain.

4. If a Married Woman be a convicted Recusant, and do not conform within three Months after conviction, she shall be committed to Prison, by a Privy Counsellor, or the Bishop of the Diocese if she be a Barroness, but if of a lower degree, then she shall be committed by two Justices of Peace (whereof one of the *Quorum*) and there remain until she conform, unless the Husband shall pay to the King for his Wives Offence, ten pounds for every month, or yield a third part of all his Lands; at the choice of such Husbands.

*The penalty of
going beyond
Sea, or sending
any thither to
be trained in
Popery, or send-
ing relief to
them.*

5. None shall go himself, or send any other person whatsoever beyond Sea, to be trained up in Popery, nor give any maintenance or relief to the party so sent, or to any School, or Religious house: here, (on pain after conviction thereof) to be made unable to prosecute any Suit in any Court of Equity, to be Committee of any Ward, Executor or Administrator, and to be incapable of any Legacy, or Deed of Gift, or bearing Office within this Realm. And besides, to forfeit all his Goods and Chattels, and his Lands also, during life; but if he or she conform within six weeks after his or her return, according to the Statutes of this Realm, they shall not incur the said Penalties.

3. Car. I. Cap. 2.

1. By this Statute, the Statute of 1. Jac. Cap. . is to be put in due Execution.

*The like Penal-
ty as in the
next preceding
Statute for*

2. None of the Kings Subjects shall pass or go, or shall convey or send, or cause to be conveyed or sent, any Children or other person, out of any the Kings Dominions, into any parts beyond the Seas,

Seas, out of the Kings obedience, to the intent to be resident and trained up in any *Popish Society, School or Family*, or instructed in the *Popish Religion*, in a sort to profess the same; Neither shall any convey, or cause to be conveyed any money, or other thing, towards the maintainance of any such Children, or Person already gone or sent, or to go, or to be sent and trained, and instructed, as aforesaid, or (under the name of *Charity*) towards the relief of any such *Society or Religious House*, on pain, after conviction, in the aforesaid cases, to be disabled to sue, or use any Action, Bill, Plaint, or Information in Law, or Prosecute any Suit in Equity, &c. *As in the next precedent Statute here abstracted and abridged.*

All Persons that shall bear any Office, Civil or Military, or receive any Pay, Salary, Fee, or Wages, by reason of any Patent or Grant from his Majesty, or shall have Command or Place of Trust, from or under his Majesty, or from any of his Predecessors, or by his or their Authority, or by Authority derived from him or them, or shall be of the Household, or in the Service or Employment of His Majesty, or the Duke of York, who shall inhabit, reside, or be in, or within thirty miles of London, or Westminster, at any time during Easter Term, 1673. shall before the end of that Term, or Trinity Term following, appear in the Court of Chancery, or Kings Bench, and there in open Court, between Nine and Twelve in the Forenoon, take the Oaths of Supremacy and Allegiance; and all the said Persons not having taken the said Oaths in the said Courts shall on or before August 1. 1673. at the Quarter Sessions for that County or Place where he or they shall be inhabit, or reside, on May 20. take the said Oaths in like manner.

And the said Officers shall receive the Sacrament of the Lords Supper, according to the usage of the Church of England, at or before August 1. 1673. in some Parish Church upon some Lords day immediately after Divine Service and Sermon.

All Persons that shall be admitted into any such Office, &c. or shall receive any Pay, &c. or have Command, or be admitted into Service or Employment in the Households, &c. after the first day of Easter Term aforesaid, and shall inhabit, be, or reside, when so admitted in or within thirty miles of London or Westminster, shall take the said Oaths, in the said respective Courts, in the manner aforesaid, the next Term after such their admittance. And all such Persons to be admitted after the said first day of Easter Term, not having taken the Oaths in the Courts aforesaid, shall take then at the Quarter Sessions for the County or Place where they shall reside

next

25. Carol.

next after such admittance. And all Persons so to be admitted as
aforesaid, shall receive the Sacrament of the Lords Supper in the
manner aforesaid, within three months after their admittance.

And every of the Persons in the Court where he takes the Oaths,
shall first deliver a Certificate of such his receiving the said Sacra-
ment, as aforesaid, under the hands of the Minister and Church-War-
dens, and shall then make proof of the truth thereof by two credible
Witnesses at the least upon Oath. All which shall be inquired of,
and put upon Record in the Respective Courts, to take the said
Oaths and Sacrament, upon penalty that the Offices and Employ-
ments of all Persons neglecting or refusing, be and are adjudged
void, and the Persons *ipso facto* adjudged incapable to have or en-
joy the same, or any profit thereto appertaining. And further, if
they shall execute the Offices or Employments after the time where-
in they ought to have taken them, and being thereupon lawfully
convicted, shall be disabled to sue in Law or Equity, or to be a
Guardian, Executor, or Administrator, or to be capable of any
Legacy or Deed of Gift, or to bear any Office; and shall forfeit
500. l. to be recovered by the Prosecutor.

Persons not bred up by their Parents in the Popish Religion,
and professing themselves to be Popish Recusants, that shall breed
up, or suffer their Children to be educated in the Popish Religion,
upon conviction shall be disabled to bear any Office or Place of
Trust or Profit, and the said Children likewise disabled, till they
shall be reconciled and converted to the Church of England, &c.

At the same time the Persons concerned shall take the said Oaths,
they shall make and subscribe a Declaration (in the Act specified)
against Transubstantiation, under the same Penalties and For-
feitures.

Proviso's for the Peerage, and other Priviledges and Profits of
Peers; for Pensions granted upon valuable considerations; for
Estates of Inheritance granted; for Pensions granted to Persons
instrumental in the King's preservation after the Battle at *Worcester*;
for Offices of Inheritance; for Infants, Feme-coverts; Persons
beyond Sea, and *non compos mentis*; for Constables, and such infe-
rior Officers.

*This is the sum and substance of all the Statute-Laws against Jesuits,
Priests, and Popish Recusants; which for the benefit of my
Countrey men, I have abstracted out of the large Volume of the
Statute-Books, and here brought them to this narrow compass; but
read them at large for thy better satisfaction. Farewel.*

F I N I S.